that the Arkansas decree was rendered with personal jurisdiction over both parties and the question of alimony was distinctly raised and passed on in that court. In *Toncray* v. *Toncray,* 123 Tenn. 476, 34 L. R. A. (n. s.) 1106, the complainant sought a divorce and alimony from the defendant, who pleaded as a bar a divorce rendered in Virginia. The matrimonial domicile was Tennessee, but defendant had left his wife and obtained a bona fide domicile in Virginia before getting the divorce. The Virginia decree was based on publication and without service of process on, or actual notice to, the wife. *Held,* an action for alimony can be maintained by the wife still domiciled in the state of the matrimonial domicile of the parties, although the husband may have obtained a divorce from her based on service by publication in a foreign state. Here the court protects its own resident. In *Joyner* v. *Joyner,* 131 Ga. 217, 18 L. R. A. (n. s.) 647, the matrimonial domicile was in Georgia, but the husband got a bona fide domicile in Kansas and obtained a divorce based on constructive service on the wife, she retaining her Georgia domicile. In a separate alimony suit in Georgia the court enforced the Kansas decree on the ground of comity and held it conclusive as to the amount of alimony. The wife had actual notice by mail. To be effective to cut off further suit for alimony in another state, the decree must be valid in that other state either because of the full faith and credit clause or because of comity. If the decree is valid, since alimony is incidental to the marriage relation, and as divorce dissolves that relation, nothing then remains from which the alimony can arise. *Roe* v. *Roe,* 52 Kan. 724. See also *Knowlton* v. *Knowlton,* 155 Ill. 158. *Contra: Thurston* v. *Thurston,* 58 Minn. 279; *Adams* v. *Abbott,* 21 Wash. 29; *Toncray* v. *Toncray, supra.* The New York case at bar limits the doctrine of *Haddock* v. *Haddock, supra,* very strictly, applying it only when a resident of New York is one of the parties to the foreign decree and is injured by it. For further discussion, see 13 MICH. L. REV. 420; 11 MICH. L. REV. 508; L. R. A. 1917B, 1032, note; L. R. A. 1917F, 1161, note; L. R. A. 1915E, 421, note; 9 L. R. A. (n.s.) 953, note.

EQUITY—INJUNCTION AGAINST WRONGFUL OUSTER OF PUBLIC OFFICER.—The appellant held the office of clerk of the Recorder's Court in Detroit, by appointment, and was notified that the judges of this court had decided to dispense with his services, without having given him a hearing as to his competency. *Held,* that a court of equity had jurisdiction to enjoin the wrongful removal of the plaintiff. *Beck* v. *Keidan* (July, 1921), 215 Mich. 13.

Other authorities have held that equity does not have jurisdiction to enjoin the removal of a public officer on the ground that its aid is sought to protect a political right as distinguished from property or civil rights. The United States Supreme Court held that a Nebraska court had no power to enjoin the ouster of a police judge upon action by only three members of the city council when an ordinance required action by the whole council. *In re Sawyer,* 124 U. S. 200. The court relied upon *Gee* v. *Pritchard,* 2 Swanst. 403, which held that equity jurisdiction was limited to the protection of property rights. But see EQUITABLE RELIEF AGAINST DEFAMATION, ROSCOE

POUND, 29 Harv. L. Rev. 640. *In re Sawyer, supra,* left the determination of the right to public offices exclusively to courts of law, which might exercise this power by certiorari, error or appeal, mandamus, prohibition, writ of quo warranto, or information in the nature of quo warranto. That case is followed in Illinois, where the court refused to enjoin the removal of a physician appointed by the board of managers of the state reformatory. *Marshall* v. *Board,* 201 Ill. 1. Similarly, an injunction was refused on the ground of lack of jurisdiction where it was sought to enjoin the removal of the keeper of the penitentiary and putting the sheriff in charge under a void statute. *Corscadden* v. *Haswell,* 177 N. Y. 499, 17 HARV. L. REV. 575. *In re Sawyer, supra,* was also relied upon in a recent Indiana case, where the Appellate Court refused to enjoin certain school trustees who were alleged to be conspiring to prevent the plaintiff from assuming his duties as a newly-elected trustee. *Haupt* v. *Schmidt* (Ind., 1919), 122 N. E. 343. But immediately following this decision the Supreme Court of Indiana held that a supervisor of oil inspection was entitled to injunctive relief against a rival appointed by the state geologist, who was interfering with his duties, the court holding that the legal incumbent was entitled to protection until the right of the contestant was determined at law. *Felker* v. *Caldwell* (Ind., 1919), 123 N. E. 794. In Texas a distinction is drawn between an injunction sought to protect the right to the office as against a rival claimant for the office and an injunction sought to protect the enjoyment of the office as against those who are making no claim to it themselves. The former is held to be a political right over which equity has no jurisdiction, and the latter is held a proper case for relief. For example, an injunction was refused to restrain a newly-elected officer from taking the oath of office until his election could be contested. *Jackson* v. *Houser* (Texas, 1918), 108 S. W. 186. But it was held that an injunction would be granted in favor of an officer against one in possession of another office who claimed the right to perform the duties and collect the fees rightfully belonging to the plaintiff. The court pointed out that the inherently political dispute between rival claimants for the same office was not involved, in which case it admitted that it could not enjoin. *Troilo* v. *Gittinger* (Texas, 1921), 230 S. W. 233. Where the governor of Wisconsin summarily and without proper hearing attempted to remove the insurance commissioner, an injunction was granted. *Ekern* v. *McGovern,* 154 Wis. 157. In the principal case the court, in justifying and limiting its decision, referred to the fact that there was no one claiming the office of the plaintiff, and it was only acting to protect the plaintiff's possession of the *de jure* and *de facto* office from wrongful interference. And it also admitted that its decision would not determine the plaintiff's right to retain the office, but that the judges of the Recorder's Court might remove him after notice and a proper hearing. This does not seem to be an exercise of political jurisdiction, and the result appears desirable from the standpoint of the inadequacy of the plaintiff's legal remedy and from the standpoint of the public's interest in insuring the stability of public offices from wrongful interruption.